

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

TO: Chief Procurement Officer

FROM: **Dept. of Health/ Developmental Disabilities Division** **103-150-3011 :36**
(Department/Division/Agency)

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Description of health and human services:

The Centers for Medicare and Medicaid Services (CMS) has issued a letter de-certifying two Arc of Hawaii ICF-MRCs effective March 3, 2003. There are currently 9 individuals with DD/MR in those facilities. These individuals, some of whom were formerly residents of Waimano Training School and Hospital, require time for transition to other residential facilities (e.g., certified or licensed homes) and for appropriate services to be provided to support their living in the community. The Arc of Hawaii will be developing a plan of correction to address issues of health and welfare for these individuals. Continued 24 hour services and supports are required for these 9 individuals who, on an interim basis, will be provided by the Arc of Hawaii in compliance with the health and welfare corrections from March 4 to April 13, 2003. Monitoring of service provision will be done by multiple DOH parties as well as guardians.

Name of Service Provider Arc of Hawaii	Cost: \$250.57 per day per person	Term of Contract: From: March 4, 2003 To: April 13, 2003
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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: Procurement by competitive means is not practical nor advantageous to the State given the Federal (CMS) directive de-certifying two facilities effective March 3, 2003 and the resulting impact on the individuals currently in the facilities. Interruption of services will impact current residents with DD/MR, thus, a transition period is necessary to effect a smooth and minimally traumatic transition for these individuals.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

The current service provider of Medicaid (ICF/MR) services will continue to provide services only as an interim measure. Current provider was selected and is licensed by DOH-OHCA as a facility.

Note: Current Medicaid services which include ICFMR and HCBS Waiver, are exempt from procurement.

A description of the state agency's internal controls and approval requirements for the exempted procurement:
CMISB Branch Chief will be responsible for ensuring that the case managers regularly monitor the health and well being of the current individuals and concurrently work towards placement in alternative facilities as they are available and appropriate for the individuals.
Fiscal Supervisor – ensures appropriateness of public funds
DDD Chief will be responsible for general oversight.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

CMISB Branch Chief – oversee case management activities for these individuals, including appropriate planning and transitioning to alternative residential sites - the "difficulty" of these individuals require additional time to ensure health and well being
Fiscal Supervisor – appropriateness of expenditures
Contracts Supervisor - consultation for appropriateness of procurement process
Public Health Administrative Officer - oversee process

Direct questions to:
Sharon Tanaka, Acting CMISB Chief

Phone Number:
733-9175

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.

James C. Cadahus 4-1-03
Department/Agency Head Date

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

☐ Approved

☐ Denied

cc: Administrator
State Procurement Office

Chief Procurement Officer

Date

4/4/03
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SHARON TANAKA, REQUEST
IS WITHDRAWN.
THIS IS A CRISIS POS.
H. Smith